

14.10.2025

Serial no. 50

[*Dalrimanta*]

(Bail **allowed**)

CRM (NDPS)/870/2025

In re: An Application for Bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Berhampore** Police Station Case No. **1845** of **2024** dated **15.11.2024** under Sections **21(c)/29** of the NDPS Act, 1985.

-And-

In the matter of : RAJESH SK

... .. Petitioner

*Mr .Moyukh Mukherjee,
Mr. Koustav Bhattacharya,
Mr. Anisur Rahman Advocatse
... .. For the Petitioner*

*Mr. Md. Adil Badr,
Mr. Nirupam Dhali, Advocate
... ..For the State*

1. Having heard the submissions of the learned counsel for the petitioner and also taking into consideration the objection of the State counsel, I am inclined to allow the petitioner on bail on the grounds that only 50 bottles of cough syrup have been recovered from the possession of the petitioner and further although charge sheet has been submitted on 7th May, 2025, charges have not yet been framed and there is no chance of early conclusion of the trial. The fundamental right of the petitioner to get speedy justice overrides the restrictions of Section 37 of NDPS Act, 1985.
2. Accordingly, I direct that the petitioner, namely **RAJESH SK** shall be released on bail upon furnishing a bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court

under NDPS Act, cum- ADJ, 5th Court, Berhampore, Murshidabad and on further conditions that the petitioner shall remain within the jurisdictional Police Station and shall report to the Officer-in-Charge of jurisdictional Police Station once in a week until further orders.

3. The petitioner shall appear before the learned trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
4. In the event, the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial Court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
5. The application for bail is, accordingly, **allowed**.
6. All parties shall act in terms of the server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)